

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CLADIO ROMERO VELASQUEZ,	)	
	)	
Petitioner,	)	Case No. C10-1601-TSZ
	)	
v.	)	<b>ORDER DISMISSING</b>
	)	<b>PETITION FOR WRIT OF</b>
SCOTT FRAKES,	)	<b>HABEAS CORPUS</b>
	)	
Respondent.	)	

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The Court, having reviewed the Report and Recommendation of Brian A. Tsuchida, United States Magistrate Judge, docket no. 15, to which no objections were filed, does hereby find and Order:

(1) The Court adopts the Report and Recommendation.<sup>1</sup>

(2) Petitioner's federal habeas petition and this action are **DISMISSED** with prejudice.

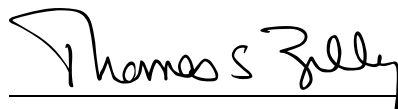
(3) A certificate of appealability is **DENIED**.

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<sup>1</sup> The Court notes that petitioner's offenses were committed during the period from January 1, 2002, to February 17, 2002, Exs. 1 & 3 (docket no. 14), and that the statute pursuant to which petitioner was resentenced in 2005 had an effective date of September 1, 2001. See Wash. Laws of 2001, 2d Spec. Sess., ch. 12, § 303 (codified as RCW 9.94A.712 (recodified in 2008 as RCW 9.94A.507)).

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2 (4) The Clerk is directed to send copies of this Order to all counsel of record, to  
3 petitioner, and to Judge Tsuchida.

4 DATED this 30th day of March, 2011.

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7 Thomas S. Zilly  
8 United States District Judge  
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